

BUSINESS



A Proclamation Commemorating City of Fulshear School Choice Week

WHEREAS all children in City of Fulshear should have access to the highest-quality education possible; and,

WHEREAS City of Fulshear recognizes the important role that an effective education plays in preparing all students in City of Fulshear to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of City of Fulshear; and,

WHEREAS City of Fulshear is home to a multitude of excellent education options from which parents can choose for their children; and,

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS our area has many high-quality teaching professionals who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Jeff W. Roberts do hereby recognize January 21-27, 2018 as **CITY OF FULSHEAR SCHOOL CHOICE WEEK**, and I call this observance to the attention of all of our citizens.

Jeff W. Roberts, Mayor, City of Fulshear

Attest:

D. (Diana) Gordon Offord, City Secretary

PRESENTATION

BY

VERDUNITY

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS

AGENDA OF:	January 12, 2018	AGENDA ITEM:	B
DATE SUBMITTED:	January 12, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Brant Gary, Executive Director of Planning and Development	PRESENTER:	Brant Gary, Executive Director of Planning and Development
SUBJECT:	Consideration and possible action with presentation by Verdunity, Inc. regarding impact of past, present, and future development on revenues and service costs to the City of Fulshear (to include development agreements and rebate terms)		
ATTACHMENTS:	N/A		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

For some time now, the City has been simultaneously working to plan for future growth, meet the current expectations for service delivery, and work with our partners at some of the “in-City” MUDs concerning possible revisions to our current agreements. It is evident that everyone involved recognizes a benefit in working together and exploring alternatives to the current approach. One of Council’s goals in moving this process forward was to provide a more complete understanding/presentation of the underlying principles the City feels are important regarding any proposed changes. In other words, what is the basis for the City’s position in this matter?

In order to accomplish this, it was determined that the City needs to truly establish WHY the agreements need to be revisited and what should the City consider when approaching development in the future. As a result, it was necessary to start from the ground up in establishing the City’s responsibilities to the citizens relative to the City’s infrastructure and delivery of services. With that information, it is both feasible and necessary to assess how the current development agreements affect those responsibilities.

To accomplish this, the City engaged Verdunity, Inc. to provide an analysis and recommendations for its overall approach to development activity and service delivery. This analysis would provide the basis for quantifying those responsibilities city-wide and why it will be mutually beneficial for the agreements to be revised. Furthermore, this analysis begins the conversation as to what direction the City should take for securing its financial position to meet its responsibilities and facilitate quality development.

This presentation will provide Council an opportunity to ask any questions and provide feedback regarding the presentation and next steps. City staff would be able to incorporate any changes or additional information needed and would also like to provide this presentation to the public and present this to the respective MUD Boards so the dialogue can continue.

EXECUTIVE SUMMARY

While City Staff has no formal recommendations for action, Council action to provide direction to staff and formalize any potential policy decisions on this matter would certainly be appropriate.

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS

AGENDA OF: January 16, 2018

AGENDA ITEM: C

DATE SUBMITTED: January 10, 2018

DEPARTMENT: Administration

PREPARED BY: Paula Ryan,
Acting City Manager

PRESENTER: Paula Ryan,
Acting City Manager

SUBJECT: Reaffirm Water and Sewer Easement Agreement with GM Equity Group, LLC

ATTACHMENTS: Water and Sewer Easement Agreement with GM Equity Group, LLC-Nov.2011

EXPENDITURE REQUIRED: N/A

AMOUNT BUDGETED: N/A

FUNDING ACCOUNT:

ADDITIONAL APPROPRIATION REQUIRED: N/A

FUNDING ACCOUNT:

EXECUTIVE SUMMARY

The Water and Sewer Easement Agreement with GM Equity Group, LLC was executed on November 21, 2011 by the Grantor, but not fully executed by the Grantee. As this was not previously fully executed, the Agreement is being brought to Council for reaffirmation to be fully executed and subsequently filed.

RECOMMENDATION

Staff recommends that City Council reaffirm and approve.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WATER AND SEWER EASEMENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

KNOW ALL MEN BY THESE PRESENTS:

THAT GM EQUITY GROUP, LLC, a Texas Limited Liability Company, ("GRANTOR"), owner of the real property described in Exhibit "A," by these presents does DONATE, DEDICATE, GRANT, and CONVEY unto THE CITY OF FULSHEAR, TEXAS, a Texas Type A municipal corporation ("GRANTEE"), a water and sewer easement (the "Easement") across, and under the real property located in Fort Bend County, Texas, shown as "20' Water & Sanitary Sewer Easement" on the site plan as attached as Exhibit "B."

The Easement shall be utilized only as a water and sanitary sewer easement. This instrument conveys only an easement interest and does not convey title, whether to the surface or the mineral estate, of the land described in the Easement area.[JGR1]

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, together with rights of ingress and egress to and from the Easement for the purpose of constructing, inspecting, repairing, maintaining, enlarging, and removing water and sanitary sewer lines and associated infrastructure and equipment, unto GRANTEE, its successors and assigns forever. To the extent that Grantee must remove or alter Grantor's existing improvements on the Easement in furtherance of Grantee's lawful use of such Easement, replacement of such improvements shall be the responsibility of Grantee. Grantee shall take reasonable effort to minimize the impact on Grantor's improvements if and to the extent removal or alteration and/or replacement of such improvements becomes necessary.[JGR2]

GRANTOR shall not plant, place, or install ~~any trees within the easement or~~ ~~plant, place, or install~~ any ~~other~~ landscaping within the easement that may impact the water or sewer lines. [JGR3] Grantor, its successors and assigns, reserve the right to cross Grantor's Property including, without limitation, the portion covered by the Water and Sanitary Easement, at any time and from time to time with pipelines, roadways and/or other facilities.

GRANTEE shall exercise the rights herein granted in a manner which will not unreasonably interfere with Grantor's present or future use of Grantor's Property. Grantor particularly reserves unto itself, its agents, representatives, successors and assigns:

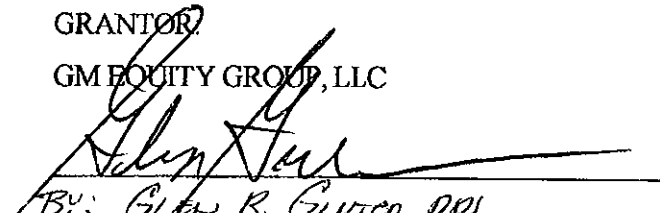
- i. The right to cross under or over said pipeline site with other pipelines, to carry out construction, installation, maintenance, repair, replacement, removal and abandonment of other pipelines and facilities of any kind, and, for such purposes, to dig under said pipeline site, provided that any such crossing or other activities shall be made or conducted in accordance with standard and accepted engineering practices and in such manner as to not unreasonably interfere with the operations or maintenance of the lines within the Water and Sanitary Easement, and that in the event such other pipeline is being constructed or activity is being conducted by or for Grantor, Grantor will give Grantee at least thirty (30) calendar days prior written notice before allowing such construction to commence;
- ii. The right to construct a road or roads and a bridge or bridges on the Property above the Water and Sanitary Easement;
- iii. The right to construct and/or clear and maintain drainage ditches over said Water and Sanitary Easement;
- iv. The right to construct and maintain fence or fences over the Water and Sanitary Easement and to include the surface above the Water and Sanitary Easement within fences.

W - SEE PAGE 3

GRANTOR agrees to bind itself and its successors and assigns to WARRANT and FOREVER DEFEND, unto GRANTEE, heirs and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof, by through or under GRANTOR but not otherwise. The easement shall be used for the sole purpose of construction and maintenance of underground water and sanitary sewer lines along and through the easement area. The duration of the easement is perpetual. The easement is only for the benefit of Grantee and Grantee's successors and assigns.

SIGNED this the 21st day of November, 2011.

GRANTOR
GM EQUITY GROUP, LLC


BY: Glen R. Ginter DDS
AUTHORIZED REPRESENTATIVE.

ACCEPTED:

GRANTEE

THE CITY OF FULSHEAR, TEXAS

By: _____
Thomas C. Kuykendall, Jr., Mayor
Jeff W. Roberts

ATTEST:

D. Gordon Offord, City Secretary

EXHIBITS:

- A- Metes and Bounds Description
- B- Site Plan

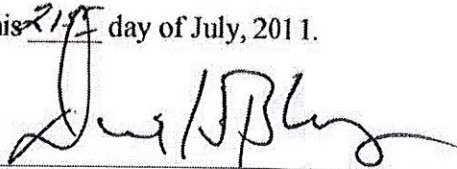
V - THE RIGHT TO CONSTRUCT OR LOCATE SIGNAGE AND OTHER MATERIALS OR IMPROVEMENTS EXCEPT FOR PERMANENT BUILDINGS OVER ACROSS OR UPON THE EASEMENT AREA; PROVIDED SUCH IMPROVEMENTS DO NOT INTERFERE WITH THE RIGHTS HEREBY GRANTED TO GRANTEE.



STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me, the undersigned notary public, on this day personally appeared GLEN R. GINTEN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed that instrument for the purposes and consideration therein expressed in the capacity therein stated.

Given under my bond and seal of office this 21st day of July, 2011.



Notary Public, State of Texas

My commission expires: _____



STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Jeff W. Roberts Before me, the undersigned notary public, on this day personally appeared ~~Thomas C. Kuykendall, Jr.~~, Mayor of the City of Fulshear, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed that instrument for the purposes and consideration therein expressed in the capacity therein stated.

Given under my bond and seal of office this _____ day of July, 2011.

Notary Public, State of Texas

My commission expires: _____

GRANTOR'S ADDRESS:

GM EQUITY GROUP, LLC
1403 West Hilshire Park Drive
Houston, Texas 77055

RETURN TO GRANTEE:

Randle Law Office
820 Gessner, Suite 1570
Houston, Texas 77024

Exhibit "A"

FIELD NOTES FOR A 20-FOOT WIDE WATER LINE AND SANITARY SEWER LINE EASEMENT OUT OF A CALLED 3 ACRE TRACT CONVEYED TO BARBARA CHATAM BY THE DEED RECORDED IN FORT BEND COUNTY CLERK'S FILE NO. 20061068335 AND BEING LOCATED IN THE ENOCH LATHAM SURVEY, ABSTRACT 50; FORT BEND COUNTY, TEXAS.

BEGINNING: At the Southwest corner of the 3 acre tract which is also a common corner of the G.M. Equity Group, LLC called 137.294 acre tract (Fort Bend county Clerk's File No. 2008000068); said corner being located on the North Right-of-way (R.O.W.) Line of Farm-to-Market Road No. 1093;

THENCE: **North 00° 04' 09" West** with the West line of the called 3 acre tract and a common East line of the called 137.294 acre tract a distance of **20.07** feet to the Northwest corner of this 20 foot wide easement;

THENCE: **North 85° 16' 17" East** a distance of **212.29** feet with a line that is 20 foot North of and parallel to the North line of F. M. 1093 to the Northeast corner of this 20 foot wide easement;

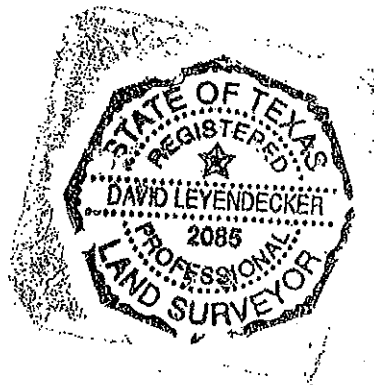
THENCE: **South 00° 23' 25" West** with the common line of the East line of the 3 acre tract and a West line of the called 137.294 acre tract (The 137.294 acre tract encircles the 3 acre tract on the three (3) sides) a distance of **20.06** foot to the Southeast corner of this easement and the North line of F.M. 1093;

THENCE: **South 85° 15' 54" West** a distance of **212.13** feet with the North line of F. M. 1093 to the Actual Place of Beginning and being a 20-foot wide Water line and Sanitary Sewer line easement.

All bearings recited hereon are based on the North line of F.M. 1093 running South 85° 15' 54" West.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
August 11, 2011
Pe
LATHAM-20footEasement



2008000068

Electronically Recorded

Official Public Records

2008 Jan 02 11:10 AM

Dianne Wilson
Dianne Wilson, County Clerk

Fort Bend County Texas

Pages: 6 Fee: \$ 31.00

**FILED BY
ALAMO TITLE COMPANY**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

After Recording, Return to:
Kevin McInnis
Looper, Reed & McGraw, P.C.
1300 Post Oak Blvd., Suite 2000
Houston, Texas 77056

[Space above line for Recorder's Use]

SPECIAL WARRANTY DEED

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS THAT:

COUNTY OF FORT BEND

§

§

RIDDLE HOLDINGS, LTD., a Texas limited partnership (as to an undivided ninety percent (90%) interest in and to the hereinafter described Property), and **GREGORY S. BAUMGARTNER** (as to an undivided ten percent (10%) interest in and to the hereinafter described Property) (collectively, "**Grantor**"), whose mailing address is 9400 FM 1960 West, Houston, Texas 77070, for and in consideration of the sum of (i) Ten and No/100 Dollars (\$10.00), (ii) the execution and delivery by Grantee to Grantor of a certain Wraparound Promissory Note in the original principal amount of \$3,184,502.48 (the "**Wraparound Note**"), secured by a Deed of Trust, Security Agreement, Financing Statement and Assignment of Contracts, Rents and Leases (Wraparound Financing) to Richard K. McInnis, Trustee (the "**Wraparound Deed of Trust**") and by the Superior Title and Vendor's Lien herein retained and reserved by Grantor, and (iii) other good and valuable consideration paid to Grantor by **GM EQUITY GROUP, LLC**, a Texas limited liability company ("**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged and confessed, have GRANTED, BARGAINED, SOLD, AND CONVEYED, and do hereby GRANT, BARGAIN, SELL, AND CONVEY unto the Grantee, whose mailing address is 1403 W. Hillshire Park Dr., Houston, Texas 77055, their respective undivided interests in and to that certain real property situated in Fort Bend County, Texas, more particularly described on **Exhibit "A"**, attached hereto and made a part hereof for all purposes (the "**Land**"), together with all of Grantor's rights, titles and interests in and to: (a) all rights, privileges and appurtenances pertaining thereto, including utility service units, accessways and access openings to adjoining streets and roads; (b) any land lying in the bed of any street, road or avenue, opened or proposed, in front of or adjoining the Land; (c) any strips or gores adjoining the Land; (d) all permits or licenses in connection with the operation of the Land; (e) all appurtenances and hereditaments appertaining to the Land; (f) all awards made or to be made to Grantor for the Land or any part thereof by reason of a taking by eminent domain or conveyance in lieu thereof after the date hereof; (g) any guarantees or warranties relating to the Land or any personal property to extent transferable; and (h) any unpaid award for damages to the Land by reason of change of grade of any street (hereinafter collectively referred to as the "**Appurtenances**"), subject, however, to that one certain Promissory Note in the original principal sum of \$1,560,000.00 dated July 10, 2007, executed by Riddle Holdings, Ltd., payable to the order of The Bank of River Oaks (the "**Underlying Note**"), and said Underlying Note being secured by a Deed of Trust dated July 10, 2007 in favor of R. A. Lane, Trustee, filed for record among the Official Public Records of Fort

Return to: 40104451
David Pitschmann
Alamo Title Company
5599 San Felipe, Suite 1400
Houston Texas 77056

Bend County, Texas under County Clerk's File Number 2007100278 (the "Underlying Deed of Trust"). The Land and the Appurtenances are herein collectively called the "Property".

Notwithstanding anything contained herein to the contrary, the Appurtenances shall be conveyed by Seller to Buyer WITHOUT WARRANTY OF TITLE, WHETHER STATUTORY, EXPRESS OR IMPLIED, AND ALL SUCH WARRANTIES OF TITLE ARE HEREBY EXCLUDED AS TO THE APPURTENANCES.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and Appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns (each as their respective undivided interests in and to the Property) to WARRANT and FOREVER DEPEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise.

THIS CONVEYANCE IS MADE SUBJECT TO only those valid and subsisting encumbrances that are applicable to and enforceable against the Property as hereinafter defined and of record in the Official Public Records of Fort Bend County, Texas, including, but not limited to those shown on survey dated October 6, 2006, and as revised December 18, 2007, prepared by Chris D. Kalkomey, Registered Professional Land Surveyor, Texas Registration No. 5869, to the full extent same are validly existing and pertain to the Property.

Ad valorem taxes for the current year have been prorated as of the date of delivery of this Special Warranty Deed, and by Grantee's acceptance of this Special Warranty Deed, each Grantee assumes and agrees to pay such Grantee's proportionate share, based on such Grantee's undivided interest in and to the Property, of such ad valorem taxes for the current year and subsequent years during its ownership of the Property. Grantor warrants and represents that all ad valorem taxes and other assessments against the Property for prior years during Grantor's ownership of the Property have been paid.

Grantor hereby expressly reserves and retains a Vendor's Lien, as well as the Superior Title, in and to the Property to secure (i) the payment of the Wraparound Note, and (ii) the performance and payment by Grantee of all covenants, conditions, obligations and liabilities under the Wraparound Deed of Trust. Upon the full and complete payment of the Wraparound Note and satisfaction and performance of all covenants, conditions, obligations and liabilities under the Wraparound Deed of Trust, then this conveyance shall become absolute and the vendor's lien and superior title herein reserved shall be automatically released and discharged.

When the context requires, singular nouns and pronouns include the plural.

SIGNATURES FOLLOW THIS PAGE

SIGNED on the date of the acknowledgment hereinbelow, to be effective as of the 28th day of December, 2007.

Grantor:

RIDDLE HOLDINGS, LTD.
a Texas limited partnership

By: Riddle Management, LC,
a Texas limited liability company,
its General Partner

By: Todd Riddle
Todd A. Riddle, Manager

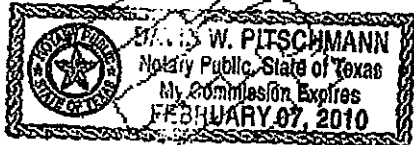
Grantor:

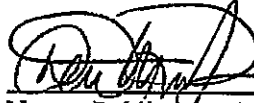
Todd Riddle
TODD RIDDLE, Agent & Attorney-in-Fact
for and on behalf of **GREGORY S. BAUMGARTNER**

Acknowledgments Attached

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 28 day of December, 2007, by Todd A. Riddle, Manager of Riddle Management, LC, a Texas limited liability company, General Partner of Riddle Holdings, Ltd., a Texas limited partnership, on behalf of said limited partnership.

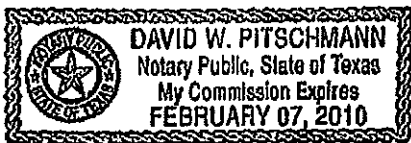


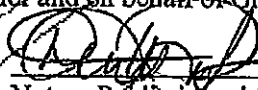


Notary Public in and for the State of TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 28 day of December, 2007, by Todd Riddle, Agent & Attorney-in-Fact for and on behalf of Gregory S. Baumgartner.





Notary Public in and for the State of TEXAS

EXHIBIT A
Land

FIELD NOTES FOR A 137.294 ACRE TRACT OF LAND IN THE ENOCH LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS, BEING THAT CERTAIN CALLED 137.2730 ACRE TRACT DESCRIBED IN DEED RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2004144910, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE EAST LINE OF SAID CALLED 137.2730 ACRE TRACT AS BEING SOUTH 00 DEGREES 20 MINUTES 37 SECONDS EAST (CALLED SOUTH 00 DEGREES 20 MINUTES 37 SECONDS EAST).

BEGINNING at a 5/8 inch iron rod found in the north right-of-way line of F. M. Highway 1093 for the southeast corner of said called 137.2730 acre tract, same being the southwest corner of an adjoining called 3.662 acre tract described in deed recorded under County Clerk's File Number 2005096644, Official Public Records, Fort Bend County, Texas, for the southeast corner and Place of Beginning of the herein described 137.294 acre tract of land;

THENCE South 85 degrees 16 minutes 18 seconds West (called South 85 degrees 15 minutes 36 seconds West) along the south line of the herein described tract and the south line of said called 137.2730 acre tract, same being the north right-of-way line of F. M. Highway 1093, 723.02 feet (called 723.02 feet) to a 5/8 inch iron rod with cap marked "5070" found for corner, same being the southeast corner of an adjoining called 3.0 acre tract described in deed recorded under County Clerk's File Number 2001068335, Official Public Records, Fort Bend County, Texas;

THENCE North 00 degrees 23 minutes 25 seconds West (called North 00 degrees 23 minutes 52 seconds West) along the common line of the herein described tract and said adjoining called 3.0 acre tract, 608.67 feet (called 608.67 feet) to a 5/8 inch iron rod with cap marked "5070" found for a reentry corner to the herein described tract and a reentry corner to said called 137.2730 acre tract, same being the northeast corner of said adjoining called 3.0 acre tract;

THENCE South 85 degrees 12 minutes 22 seconds West (called South 85 degrees 11 minutes 58 seconds West) continuing along said common line, 209.00 feet (called 209.00 feet) to a 5/8 inch iron rod with cap marked "5070" found for a reentry corner to the herein described tract and a reentry corner to said called 137.2730 acre tract, same being the northwest corner of said adjoining called 3.0 acre tract;

THENCE South 00 degrees 04 minutes 09 seconds East (called South 00 degrees 05 minutes 44 seconds East) continuing along said common line, 608.71 feet (called 608.71 feet) to a 5/8 inch iron rod with cap marked "5070" found in the north right-of-way line of F. M. Highway 1093 for corner, same being the southwest corner of said adjoining called 3.0 acre tract;

THENCE South 85 degrees 14 minutes 42 seconds West (called South 85 degrees 14 minutes 19 seconds West) along the south line of the herein described tract and south line of said called 137.2730 acre tract, same being the north right-of-way line of F. M. Highway 1093, 699.12 feet (called 699.12 feet) to a 5/8 inch iron rod found for the lower southwest corner of the herein described tract and the lower southwest corner of said called 137.2730 acre tract, same being the

southeast corner of an adjoining called 124.4749 acre tract described in deed recorded under County Clerk's File Number 2005092052, Official Public Records, Fort Bend County, Texas;

THENCE North 00 degrees 23 minutes 27 seconds West (called North 00 degrees 25 minutes 24 seconds West) along the common line of the herein described tract and said adjoining called 124.4749 acre tract, 399.17 feet (called 399.17 feet) to a 5/8 inch iron rod found for a reentry corner to the herein described tract and a reentry corner to said called 137.2730 acre tract, same being the lower northeast corner of said adjoining called 124.4749 acre tract;

THENCE South 85 degrees 18 minutes 03 seconds West (called South 85 degrees 17 minutes 25 seconds West) continuing along said common line, 127.50 feet (called 127.50 feet) to a 5/8 inch iron rod found for the upper southwest corner of the herein described tract and the upper southwest corner of said called 137.2730 acre tract, same being a reentry corner to said adjoining called 124.4749 acre tract;

THENCE North 00 degrees 25 minutes 32 seconds West (called North 00 degrees 25 minutes 32 seconds West) continuing along said common line, 3,184.46 feet (called 3,184.04 feet) to a 5/8 inch iron rod found for the northwest corner of the herein described tract and the northwest corner of said called 137.2730 acre tract, same being the upper northeast corner of said adjoining called 124.4749 acre tract, said point also being in a south line of an adjoining called 1,214.62 acre tract (Tract II) described in deed recorded under County Clerk's File Number 2005115742, Official Public Records, Fort Bend County, Texas;

THENCE South 89 degrees 21 minutes 53 seconds East (called South 89 degrees 21 minutes 53 seconds East, adjoiner called North 88 degrees 23 minutes 39 seconds East) along the north line of the herein described tract and the north line of said called 137.2730 acre tract, same being a south line of said adjoining called 1,214.62 acre tract, 1,762.00 feet (called 1,762.00 feet, adjoiner called 1,761.94 feet) to a 5/8 inch iron rod found for the northeast corner of the herein described tract and the northeast corner of said called 137.2730 acre tract, same being a reentry corner to said adjoining called 1214.62 acre tract;

THENCE South 00 degrees 20 minutes 37 seconds East (called South 00 degrees 20 minutes 37 seconds East, adjoiner called South 02 degrees 37 minutes 40 seconds East) along the east line of the herein described tract and the east line of said called 137.2730 acre tract, same being a west line of said adjoining called 1,214.62 acre tract, at 3,018.31 feet (adjoiner called 3,018.31 feet) pass a 3/4 inch iron rod found on said line for a southwest corner of said adjoining called 1,214.62 acre tract, same being the northwest corner of the aforementioned adjoining called 3.662 acre tract, and continuing for a total distance of 3,418.54 feet (called 3,417.84 feet) to the Place of Beginning and containing 137.294 acres of land, more or less.

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS

AGENDA OF:	January 16, 2018	AGENDA ITEM:	D
DATE SUBMITTED:	January 10, 2018	DEPARTMENT:	Finance
PREPARED BY:	Wes Vela, Chief Financial Officer	PRESENTER:	Wes Vela, Chief Financial Officer
SUBJECT:	Resolution to Suspend February 9, 2018 Effective Date of the Statement of Intent of SiEnergy, LP to Increase Rates		
ATTACHMENTS:	Resolution No. 2018-374		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO. :			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO. :			

EXECUTIVE SUMMARY

On January 5, 2018, SiEnergy, LP (“SiEnergy” or “Company”), filed a Statement of Intent seeking to increase gas utility rates within the incorporated areas served by SiEnergy in Central and South Texas. The affected municipalities include the cities of Conroe, Fulshear, Missouri City, and Sugar Land, Texas. In the filing, the Company asserts it is entitled to a \$400,000 revenue increase in the incorporated areas or a 35% increase over current adjusted revenues, excluding gas costs.

The law provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates. SiEnergy has proposed an effective date of February 9, 2018. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, SiEnergy’s rate request is deemed administratively approved.**

The purpose of the resolution is to extend the effective date of the Company’s proposed rate increase and to give the City time to review the rate-filing package. The resolution suspends the February 9, 2018 effective date of the Company’s request for the maximum period permitted by law to allow the City to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates. The Resolution must be passed before February 9, 2018.

Explanation of “Be It Ordained” Paragraphs:

Section 1. This section incorporates the “whereas” provisions in preamble into the Resolution.

Section 2. This section confirms that the City is authorized to protect the interests of the City and SiEnergy customers residing in the City.

Section 3. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective so long as the City has a legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as the “maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend its effective date and, therefore, extend the deadline for final city action to increase the time that the City retains jurisdiction (for example, if necessary to reach settlement on the case). If the effective date is not otherwise extended by the Company, the City must take final action on SiEnergy’s request to raise rates by February 9, 2018.

Section 4. This section confirms that the City has previously authorized formal membership into the Gulf Coast Coalition of Cities (“GCCC”) and authorizes the hiring of outside attorneys and consultants to work on this matter.

Section 5. This section explains that, as a member of GCCC, the City will work with the coalition to review the application to insure fair and just rates and authorizes intervention in the Railroad Commission proceeding.

Section 6. By law, the Company must reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by GCCC will present their invoices to GCCC which will then seek reimbursement from SiEnergy. The City will not incur liability for payment of rate case expenses by adopting a suspension resolution.

Section 7. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the resolution was properly noticed.

Section 8. This section provides that both SiEnergy’s designated representative and counsel for Cities will be notified of the City’s action by sending a copy of the approved and signed resolution to certain designated individuals.

Section 9. This section identifies the effective date of the Resolution as the time it is adopted.

RECOMMENDATION

The City Staff recommends adoption of the resolution suspending the effective date of SiEnergy’s proposed rate increase.

RESOLUTION NO. 2018-374

A RESOLUTION BY THE CITY OF FULSHEAR, TEXAS SUSPENDING THE FEBRUARY 9, 2018 EFFECTIVE DATE OF THE STATEMENT OF INTENT OF SIENERGY, LP TO INCREASE RATES WITHIN INCORPORATED AREAS OF CENTRAL AND SOUTH TEXAS; TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; AUTHORIZING PARTICIPATION WITH THE GULF COAST COALITION OF CITIES; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, on or about January 5, 2018, SiEnergy, LP (“SiEnergy” or “Company”) filed with the City of FULSHEAR (“City”) and the other affected Central and South Texas municipalities a Statement of Intent seeking to increase gas utility rates within the incorporated areas of the Central and South Texas to be effective February 9, 2018; and

WHEREAS, the City is a regulatory authority with an interest in the rates and charges of SiEnergy; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities (“GCCC”) (such participating cities are referred to herein as “GCCC”), a coalition of similarly situated cities served by SiEnergy that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in SiEnergy’s service area; and

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, the City retains its rights as a city with original jurisdiction including the right to suspend the application; and

WHEREAS, the City’s consultants and attorneys recommend that the City suspend the application for further review.

WHEREAS, SiEnergy has filed an application with the Railroad Commission, GUD No. 10679, that could become the docket into which appeals of city action on the SiEnergy filing are consolidated;

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

SECTION 1. That the findings and recitations set out in the preamble of this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. That the City is authorized to protect the interests of the City and protect the interests of SiEnergy customers residing and conducting business within municipal limits.

SECTION 3. That the February 9, 2018 effective date of the request to increase rates submitted by SiEnergy on or about January 5, 2018, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

SECTION 4. That the City is a member of the Gulf Coast Coalition of Cities (“GCCC”) municipalities in this proceeding and, subject to the right to terminate employment at any time, hereby authorizes the hiring of Thomas L. Brocato of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C., and Karl J. Nalepa of the consulting firm of ReSolved Energy Consulting, L.L.C. to review the Company’s filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of city action.

SECTION 5. That the City shall work with GCCC in the review and evaluation of whether the proposed rates are appropriate, fair, just, and reasonable; and, intervene as a necessary party in the Railroad Commission of Texas’ consideration of the SiEnergy rate filing as it affects the customers in the unincorporated areas of Central and South Texas.

SECTION 6. That the City’s reasonable rate case expenses shall be reimbursed in full by SiEnergy.

SECTION 7. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 8. That a copy of this Resolution shall be sent to June M. Dively, SiEnergy, LP at 3 Lakeway Centre CT, Suite 110, Lakeway, Texas 78734 and to Thomas L. Brocato at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

SECTION 9. That this Resolution shall be and become effective from and after its adoption.

DULY, PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF JANUARY 16, 2018

Jeff W. Roberts, Mayor

I, _____, Secretary of the City Council of the City of _____, Texas, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of _____, Texas, at its regular meeting held of the _____ day of _____, 2018, as the same appears in the records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of _____ this _____ day of _____, 2018.

Secretary for the City Council
of the City of _____, Texas

Diana Offord

From: Thomas Brocato <tbrocato@lglawfirm.com>
Sent: Tuesday, January 09, 2018 12:55 PM
To: Diana Offord; Jeff Roberts; Paula Ryan; Wes Vela; Missouri City (Anthony Snipes); Missouri City (E. Joyce Iyamu); Missouri City (Edena Atmore); Sugar Land (Allen Bogard); Sugar Land (Chris Steubing); Sugar Land (Eugenia Cano); Sugar Land (Lisa Dooley)
Cc: Tanya Leisey; Jamie Mauldin; Jill Penna; 'Bobby Gervais'; Thomas Brocato
Subject: Gulf Coast Coalition of Cities : SiEnergy Suspension Resolution and Staff Report
Attachments: City Suspension Resolution (SiEnergy).DOC; Staff Report Re Suspension Resolution.DOC

Last Friday, SiEnergy filed a gas rate case for the cities of Conroe, Fulshear, Missouri City, and Sugar Landits South Texas Division. I am attaching a suspension resolution and staff report that your city can use. Suspending the application, as we recommend, delays (i.e. suspends) the effective date of the rate change by 90 days and allows the cities to retain legal authority over the matter. **Please remember that the legal deadline for taking action on this resolution is February 9. If your city is unable to take action by February 9, please contact us immediately.** We have engaged the services of a consultant to review the filing. Additionally, we have filed a motion to intervene at the Railroad Commission on behalf of the GCCC. If you have any questions or concerns, please feel free to contact me. My direct number is 512-322-5857. Thomas Brocato

Thomas Brocato

*Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800 phone
(512) 472-0532 fax*

If you would like more information about the firm, please visit our website <http://www.lglawfirm.com>.

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**MODEL STAFF REPORT REGARDING SIENERGY LP'S STATEMENT
OF INTENT TO INCREASE RATES IN THE INCORPORATED AREAS
SERVED BY SIENERGY IN CENTRAL AND SOUTH TEXAS**

**ACTION MUST BE TAKEN TO SUSPEND THE EFFECTIVE DATE ON OR BEFORE
FEBRUARY 9, 2018**

On January 5, 2018, SiEnergy, LP ("SiEnergy" or "Company"), filed a Statement of Intent seeking to increase gas utility rates within the incorporated areas served by SiEnergy in Central and South Texas. The affected municipalities include the cities of Conroe, Fulshear, Missouri City, and Sugar Land, Texas. In the filing, the Company asserts it is entitled to a \$400,000 revenue increase in the incorporated areas or a 35% increase over current adjusted revenues, excluding gas costs.

The law provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates. SiEnergy has proposed an effective date of February 9, 2018. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, SiEnergy's rate request is deemed administratively approved.**

The purpose of the resolution is to extend the effective date of the Company's proposed rate increase and to give the City time to review the rate-filing package. The resolution suspends the February 9, 2018 effective date of the Company's request for the maximum period permitted by law to allow the City to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates. The Resolution must be passed before February 9, 2018.

Explanation of "Be It Ordained" Paragraphs:

Section 1. This section incorporates the "whereas" provisions in preamble into the Resolution.

Section 2. This section confirms that the City is authorized to protect the interests of the City and SiEnergy customers residing in the City.

Section 3. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective so long as the City has a legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as the "maximum period allowed by law" rather than ending by a specific date. This is because the Company controls the effective date and can extend its effective date and, therefore, extend the deadline for final city action to increase the time that the City retains jurisdiction (for example, if necessary to reach settlement on the case).

If the effective date is not otherwise extended by the Company, the City must take final action on SiEnergy's request to raise rates by February 9, 2018.

Section 4. This section confirms that the City has previously authorized formal membership into the Gulf Coast Coalition of Cities ("GCCC") and authorizes the hiring of outside attorneys and consultants to work on this matter.

Section 5. This section explains that, as a member of GCCC, the City will work with the coalition to review the application to insure fair and just rates and authorizes intervention in the Railroad Commission proceeding.

Section 6. By law, the Company must reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by GCCC will present their invoices to GCCC which will then seek reimbursement from SiEnergy. The City will not incur liability for payment of rate case expenses by adopting a suspension resolution.

Section 7. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the resolution was properly noticed.

Section 8. This section provides that both SiEnergy's designated representative and counsel for Cities will be notified of the City's action by sending a copy of the approved and signed resolution to certain designated individuals.

Section 9. This section identifies the effective date of the Resolution as the time it is adopted.

Recommendation

The City Staff recommends adoption of the resolution suspending the effective date of SiEnergy's proposed rate increase.

RESOLUTION No. 2018-375

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS ADOPTING
THE 2017-18 CITY OF FULSHEAR STRATEGIC PLAN**

WHEREAS, the City Council of the City of Fulshear, recognizes the need to implement a Strategic Plan to formally identify strategies for moving the City of Fulshear forward and to develop an implementation process to ensure the strategies are addressed and accomplished over time, and;

WHEREAS, the City Council of the City of Fulshear, Texas also recognizes the need to continue to build upon governance models and previous accomplishments centered around leadership, communication, and fulfilling expectations by identifying issues and opportunities, and;

WHEREAS, the City Council of the City of Fulshear, Texas also recognizes the need to adopt a Strategic Plan that encompasses key guiding principles, leadership tenets, communication goals, expectations, vision and mission statement, vision elements, and a strategies and implementation plan, and;

WHEREAS, the Mayor and the City Council of the City of Fulshear, Texas worked collaboratively with City Staff under the guidance of a professional facilitator to develop this 2017-18 City of Fulshear Strategic Plan through a multi-phase process during which all worked cohesively and diligently to best serve the City of Fulshear;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS that the City hereby approves and adopts the 2017-18 City of Fulshear Strategic Plan, attached as Exhibit A to this document.

This resolution duly passed this 16^h day of January, 2018.

Jeff W. Roberts, Mayor

ATTEST:

D. Gordon Offord, City Secretary



Fulshear Texas

Fort Bend County's Premier Address

**Report
and
Strategic Plan**

Adopted
TBD

Prepared and Facilitated
By
Ron Cox Consulting



Ron Cox Consulting

Helping Cities
Manage Better



REPORT AND STRATEGIC PLAN COUNCIL/STAFF PLANNING SESSION

CITY OF FULSHEAR

Session 1 – July 6, 2017
Session 2 – July 19, 2017
Session 3 – August 2, 2017
Adopted– January 16, 2018

Introduction

On July 11, 2016, the City of Fulshear embarked upon a two-phase approach to planning for the future. The first session was designed as a time for the Mayor and Council to work with the key City staff to develop a Governance Model centered around leadership, communications and fulfilling expectations. The second session, held August 2, 2016 centered on the Council to confirming their governance model, and developing on the strategies based on identified issues and challenges. Subsequent to that second session, the staff met to prepare an Implementation Plan.

On July 6, 2017, the City of Fulshear City Council and key management staff met to review the Governance Model established in 2016, and to review their accomplishments from the 2016 Strategic Plan. Finally, Council met to update and reprioritize the Plan for 2017-18. Staff also met to update the Implementation Plan for 2016. Council approved the 2017-18 Strategic Plan on January 16, 2018.

During all sessions, the Mayor and Council and staff freely worked together and their work was exemplary in all respects. Ron Cox facilitated the process.

Council Session 1 July 6, 2017

Governance

The Mayor and Council reviewed their Governance Model in depth. There were some minor changes made, and there are additional changes to be made to the Vision, Mission and Guiding Principles. The complete model is not restated here, but the changes are memorialized.

This session there were three newly elected or appointed members of the City Council and for the first time, some were elected by districts as a part of the implementation calendar for the new City Charter.

The facilitator reviewed the Governance Model established in 2016 with the current Mayor and Council. Items added are in red (if printed in color) and highlighted in grey (if printed in black and white).

Personal responsibility

Why Fulshear? (Why do you live in and love Fulshear). This exercise was designed to identify the great traits that brought them all to Fulshear and fulfill their desire to remain in Fulshear. This exercise consistently defined what they have in common as Council members.

- Their neighbors.
- The beauty of the area.
- Proximity to the amenities of a large city.
- It is different from area developments.
- Fulshear has a small town feel.
- It is family oriented.
- Fulshear is safe.
- It has a country setting.
- It is in a natural (non-urban) setting.
- Fulshear is a defined city with involvement and structure – rather than an unincorporated area (ETJ of another city).
- Citizens can be a part of something better.
- Away from congestion
- Fulshear is a blend of country and city.
- Felt like home.
- A full line of city services are offered.
- Unique – a place of respect.

- People help and look-out for each other.
- A good place to raise children – rural area, suited our own background, space around us.
- Like moving to the country.
- Involvement in the community.
- The community/people relationships.
- The natural beauty of the area.
- The advantage of the city to be near major amenities, but have no responsibility to fund them.
- Provides a slower paced, safe, less noisy place to live than the major metro area.
- The good relationship with the police department.
- High level of education and income per capita brings high expectations.

With that in mind, the Council moved to discussion of governance – leadership, communication and expectations. To begin the conversation, the facilitator asked the Council what their guiding principles for leadership should be and are.

What are the Council’s Guiding Principles for leading Fulshear? The Council wants to function...

- With openness and transparency.
- By maintaining Fulshear’s uniqueness.
- By keeping our “God-given” amenities.
- With respect for each other’s difference of opinions.
- By maintaining the feeling of home (particularly safety and security).
- By being respectful.
- By having a neighborly community with respect for each other and teamwork.
- Being mindful of our vision for the future.
- By being friendly and hospitable.
- Maintaining a family and community orientation.
- By offering a sense of community.
- By preserving nature, parks and wildlife in the area.
- Be cognizant/mindful of our fiduciary duties to maintain the health, sustainability and viability of Fulshear.
- To be hospitable and welcoming to businesses.
- Maintaining a diverse economic base for people to live and work in Fulshear, that supports all levels of education.
- To maintain Fulshear’s high standard of living.

The Council condensed these into four key guiding principles as follows.

Key Guiding Principles

- Emphasize family in Fulshear.
- Honor the sense of country and the country-like atmosphere of the community.

- Maintain the feeling of safety, community and inclusiveness.
- Be welcoming and respectful.
- Be economically sufficient yet balanced with unique charm and character.
- **Be cognizant/mindful of our fiduciary duties to maintain the health, sustainability and viability of Fulshear.**
- **Maintaining a diverse economic base for people to live and work in Fulshear, that supports all levels of education.**

Leadership

Discussion then centered on how the Council will utilize these key guiding principles and then, how they will lead collectively as a group. They responded as follows.

The City Council of Fulshear will lead...

- By moving toward the “middle-ground” on issues.
- By finding commonality among the group.
- With give and take.
- Continuing to use the message of the key guiding principles.
- With common vision and mission.
- By showing respect for each other both in and out of the Council meetings.
- By being one-body.
- By setting the example.
- By having an open mind on issues.
- By listening to others.
- Being willing to make the tough decisions – and stand by them.
- By building trust – get to know each other and work together.
- Be consistent and predictable in our actions.
- Knowing the entire Council stands for the 8,000 (everyone in Fulshear).
- By acknowledging our mistakes (both individually and collectively).
- **“Lift first, rest last.”**
- **Make good decisions for the public.**

Communication

Council then reviewed how they intend to communicate with each other, with citizens and with staff.

Council will communicate with citizens, staff and each other...

- By listening first.
- Collectively – using the “we” instead of “me”.
- Considerately.
- Respectfully.
- Truthfully and factually.

- As a body through social media. Assigning staff to social media to provide information and responses.
- By being a voice for the 8,000 (all of Fulshear).
- By being human.
- In a timely and responsive manner.
- With staff, through the City Manager.
- Ensuring that everyone gets their turn to speak.

Expectations

Staff is expected to...

- Provide detailed communications from staff in order to make the required decisions.
- Get information out to Council in a timely manner.
 - May mean moving the Agenda deadline back to allow additional preparation time.
 - Schedule additional work sessions to vet information without the initial pressure to act.
- Work in a consistent and predictable manner, utilizing the organizational chart for delegation of duties, and chain-of-command.
- Answer all questions to all of Council.
- Be responsive in communicating with citizens and handling citizen inquiries.

Staff expectations of Council (as defined by Council) is to...

- Respect their time. They do have daily duties.
- Be prepared at Council meetings.
- Be consistent and predictable in actions and behavior.
- Show leadership, direction, and support.
- Communicate with them.

Vision and Mission Statements

The Council and staff reviewed the existing Vision Statement, developed in the 2009 Comprehensive Planning Process. The group agreed the staff would prepare a revised Vision Statement to more accurately reflect the vision of the current Council given the current growth and economic patterns that are emerging.

The staff will also prepare a draft Mission Statement since one has not be developed to date.

The Council did review and revise the vision elements. It was noted that Long Term Financing has been resolved, relative to their needs in 2016 and removed it from the Vision Element list. The group did revise and reprioritized them as follows.

Vision Elements

1. Reputation/Level of Service (new)
2. Infrastructure
3. Economic Development
4. Community Development
5. Recreational Opportunities (was Quality of Life)

Strategies and Implementation Plan

Strategies

The Council and staff reviewed the status of the existing Strategies and the Implementation Plan. During the discussions, the Council added the following items to the Plan. These have been arranged to fit the Vision Elements.

1. Reputation/Level of Service

Guiding Principle: TBD

Strategy 1.1: Improve the City's reputation in the following areas

- Customer Service
- Processing of permit and other applications for service.
- Web architecture

Strategy 1.2: Establish a method of engagement with stakeholders that is

- Fair, consistent and predictable

Strategy 1.3: Improve transparency of city government

- Establish "live-streaming" of City Council meetings.
- Revise the "Focus on Fulshear" and "Fulshear 101" programs as a cohesive information strategy.
- Establish an FAQ section in the City's website.
- Provide Q&A opportunities where appropriate when engaging citizens.

Strategy 1.4: Establish and implement a comprehensive strategy for the use of social media.

- Determine best practices of other cities.

2. Infrastructure

Guiding Principle: TBD

Strategy 2.1: Provide infrastructure to meet the needs of the growing community that

- Address mobility issues
- Meets infrastructure requirements and needs
 - Drainage and wastewater challenges in several areas of the city
 - Expansion and regionalization of wastewater treatment plant
- Remains on track with our major thoroughfare plan
- Addresses the widening of existing streets, particularly in the downtown area
- Expands water and wastewater services
- Keeps up with development with utilities and mobility improvements

Strategy 2.2: Complete the ongoing Master Plans.

Note: Council removed Long Term Financing as a Vision Element. These additional strategies have been moved to Infrastructure.

Strategy 2.3: Complete Capital Improvements Plan (CIP) and begin implementation.

Strategy 2.4: Develop a plan to ensure the General and Utility Funds are mutually self-sufficient.

Strategy 2.5: Communicate to residents why the change in agreement with the developments is necessary for the long term financial stability of the City.

3. Economic Development

Guiding Principle: TBD

Strategy 3.1: Establish an economic development program that

- Encourages economic growth by marketing the City
- Secures a long-term income stream from commercial and light industrial development.
- Attracts and maintain high quality and unique businesses
- Increases sales tax revenues
- Encourages the development of commerce in the city
- Promotes economic diversification
- Long term finance issues
- Find a solution to our lack of long terming bonding capacity

Strategy 3.2: Address governance of coordinating the 4A and 4B corporations that each have a role, but hasn't been well-defined.

Strategy 3.3: Work to align the development community's vision with the City's vision.

Strategy 3.4: Update the Comprehensive Land Use Plan (Comp Plan update)

Strategy 3.5: Determine what retail recruitment will be for Fulshear.

4. Community Development

Guiding Principle: TBD

Strategy 4.1: Adopt a Uniform Development Code that

- Prepares and presents development guidelines
- Attracts high quality developers
- Resists "urban sprawl" in development
- Shows what we want our development to look like

Strategy 4.2: Develop a program to continue to improve the overall appearance of the City.

5. Recreational Opportunities (Quality of Life renamed)

Guiding Principle: TBD

Strategy 5.1: Provide for the quality of life of citizens meeting needs through

- Acquiring land for parks and events
- Providing parks and recreation services to the citizens
- Maintaining/establishing a unique environment to live work and play

- Providing parks and recreation venues that enhance/strengthen sense of community
- Keeping our green spaces with oncoming development
- Providing parks and recreation services to the citizens

Strategy 5.2: Complete plans for park improvements.

Strategy 5.3: Determine the level of recreational services the city should provide.

- What are the needs (that are not being provided privately)?
- What can we provide?
- What can we afford to maintain?

Strategy 5.4: Establish a plan and alternatives for youth and adult sports playing fields.

Staff Implementation Planning Session July 19, 2017

The City Manager and executive staff met on July 19 to discuss the outcomes of the initial session with the City Council. As instructed by Council, the staff worked to revise the Vision Statement and create a Mission Statement, all consistent with the Guiding Principles and Vision Elements, all prepared earlier by the City Council. In addition the staff reviewed the draft Strategies added as a result of the Council Planning Session clarified the draft and added strategies consistent with earlier discussions.

After adoption of the Report and Strategic Plan, staff will revise the Implementation Plan.

Reporting

Finally, staff determined the following reporting protocols. These protocols serve the purpose of keeping the staff on schedule with the implementation of strategies, keeping the City Manager informed, and providing regular reports to the City Council on the status of the implementation of the adopted strategies.

Reporting Protocols

Council

- Receives periodic updates regarding various projects related to the strategic plan
- Receives formal status reports quarterly, including an annual report.

City Manager

- City Manager receives regular updates from staff at regular staff meetings on progress of assignments.
- Each director will share their information with the employees under their supervision.
- A “scorecard” will be created to measure short term, intermediate, and long-term benchmarks.
- City Manager receives formal quarterly updates from staff on progress of assignments.

Council Planning Session 2 July 31, 2017

The Mayor, City Council, City Manager and executive staff met in a second session together to review the work of the Council in their first session and to review the work of the staff since their meeting.

Council approved the work and adopted the revised Strategic Planning Report and Implementation Plan for 2017-18 in January 2018.

Conclusion

The Council and staff of the City of Fulshear worked through a strategic planning process that allowed the Council to identify strategies for moving the city forward, brought the staff leadership and Council closer together as a team, and developed an implementation process to ensure the strategies are addressed and accomplished over time.

DRAFT



Fulshear Texas

Fort Bend County's Premier Address

Strategic Plan

2016-17

(Revised for 2017-18)

Council Planning Sessions

Session 1 – July 6, 2016

Session 2 – July 19, 2017

Session 3 – August 2, 2017

Adoption – January 16, 2018

Prepared and Facilitated

By

Ron Cox Consulting

Vision Statement

City of Fulshear

Fulshear is a community, where residents, businesses and civic leaders are committed partners in service to build a city of excellence.

Revised July 2017

The City of Fulshear is a place where community, businesses and civic leaders are partners in building a city that strives to preserve and enhance our history, small town character and natural environment while providing opportunities for growth in population and employment.

Visioning Report (2009)

Vision Elements

- 1. Reputation/Level of Service**
- 2. Economic Development**
- 3. Community Development**
- 4. Infrastructure**
- 5. Recreation Services (Quality of Life)**

Mission Statement

City of Fulshear

The Mission of the City of Fulshear is to

- **Provide the highest quality of life through the provision of exceptional public services including infrastructure, public safety, and recreation;**
- **Welcome diverse economic growth within the constraints of fiscally responsible government; and**
- **Build a community that is sustainable for generations by preserving and honoring our history, small town character and natural environment and providing opportunities for growth in population and employment.**

Prepared July 2017

Guiding Principles

City of Fulshear

The Guiding Principles of the Fulshear City Council are to ...

- **Emphasize family.**
- **Honor the country-like atmosphere.**
- **Maintain the feeling safety, of community and inclusiveness.**
- **Be welcoming and respectful.**
- **Be economically sufficient yet balanced with unique character and charm.**
- **Be cognizant/mindful of our fiduciary duties to maintain the health, sustainability and viability of Fulshear.**
- **Maintaining a diverse economic base for people to live and work in Fulshear, that supports all levels of education.**

City of Fulshear

City Council

Leadership Philosophy

The City Council of the City of Fulshear will lead...

- By moving toward the “middle-ground” on issues.
- By finding commonality among the group.
- With give and take.
- Continuing to use the message of the key guiding principles.
- With common vision and mission.
- By showing respect for each other both in and out of the Council meetings.
- By being one-body.
- By setting the example.
- By having an open mind on issues.
- By listening to others.
- Being willing to make the tough decisions – and stand by them.
- By building trust – get to know each other and work together.
- Be consistent and predictable in our actions.
- Knowing the entire Council stands for the 8,000 (everyone in Fulshear).
- By acknowledging our mistakes (both individually and collectively).
- **“Lift first, rest last.”**
- **Make good decisions for the public.**

City of Fulshear

City Council

Communication Philosophy

The City Council of the City of Fulshear will communicate...

- **By listening first.**
- **Collectively – using the “we” instead of “me”.**
- **Considerately.**
- **Respectfully.**
- **Truthfully and factually.**
- **As a body through social media.**
- **By being a voice for the 8,000 (all of Fulshear).**
- **By being human.**
- **In a timely and responsive manner.**
- **With staff, through the City Manager.**
- **Ensuring that everyone gets their turn to speak.**

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City of Fulshear

City Council and Staff

Expectations

Council expects the following of staff...

- **Detailed communications from staff in order to make the required decisions.**
- **Get information out to Council in a timely manner**
 - **May mean moving the Agenda deadline back to allow additional preparation time.**
 - **Schedule additional work sessions to vet information without the initial pressure to act.**
- **Work in a consistent and predictable manner, utilizing the organizational chart for delegation of duties, and chain-of-command.**
- **Answer all questions to all of Council.**
- **Be responsive in communicating with citizens and handling citizen inquiries.**

Staff expects the following of Council (as defined by City Council) ...

- **Respect their time. They do have daily duties.**
- **Be prepared at Council meetings.**
- **Be consistent and predictable in actions and behavior.**
- **Show leadership, direction, and support.**
- **Communicate with them.**

**City of Fulshear
Staff
Core Leadership Model**

TBD

The staff of the City of FULSHEAR will lead...

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Strategic Plan

Priority #1a Level of Service

Guiding Principle: Provide stakeholder engagement and service delivery processes that are fair, consistent and predictable.

Strategy 1a.1. The city will continue its efforts to secure its long term financial stability.

- Communicate to residents why the change in agreement with the developments is necessary for the long term financial stability of the City.

Strategy 1a.2: Improve the City's reputation in the following areas

- Customer Service
- Processing of permit and other applications for service.
- Web architecture

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Priority #1b

Reputation

Guiding Principle: Improve transparency and public trust of city government.

Strategy 1b.1: Provide stakeholder engagement processes that are fair, consistent and predictable.

- Develop a Code of Conduct and Accountability for elected and appointed officials.
 - Establish strategy for the use of social media based on best practices.
- Establish “live-streaming” of City Council meetings.
- Revise the “Focus on Fulshear” and “Fulshear 101” programs as a cohesive information strategy.
- Establish an FAQ section in the City’s website.
- Provide Q&A opportunities where appropriate when engaging citizens.

Strategic Plan

Priority #2 Infrastructure

Guiding Principle: Create and implement a plan that provides for the installation and maintenance of essential public infrastructure and lays out a strategy for growth.

Strategy 2.1: Provide infrastructure to meet the needs of the growing community that

- Address mobility issues
- Meets infrastructure requirements and needs
 - Drainage and wastewater challenges in several areas of the city
 - Expansion and regionalization of wastewater treatment plant
- Remains on track with our major thoroughfare plan
- Addresses the widening of existing streets, particularly in the downtown area
- Expands water and wastewater services
- Keeps up with development with utilities and mobility improvements

Strategy 2.2: Complete the ongoing planning efforts and develop implementation strategies that reflect fiscal realities.

Strategy 2.3: Complete Capital Improvements Plan (CIP) and begin implementation.

Strategy 2.4: Develop a plan to ensure the General and Utility Funds are mutually self-sufficient.

Implementation Plan: See attached.

Priority #3 Economic Development

Guiding Principle: Create an environment where successful businesses can grow and thrive.

- Strategy 3.1:** Establish an economic development program that
- Encourages economic growth by marketing the City
 - Secures a long-term income stream from commercial and light industrial development.
 - Attracts and maintain high quality and unique businesses
 - Increases sales tax revenues
 - Encourages the development of commerce in the city
 - Promotes economic diversification
 - Long term finance issues
 - Find a solution to our lack of long terming bonding capacity

Strategy 3.2: Address governance of coordinating of EDCs and Council vision alignment and role definition.

- Determine what retail recruitment strategy.

Strategy 3.3: Work to align the City's vision with the development community's vision.

Strategy 3.4: Update the Comprehensive Land Use Plan (Comp Plan update).

Strategy 3.5: Develop a plan for generating primary jobs.

Strategy 3.6: Develop a plan for Fulshear as a "Knowledge Hub."

Implementation Plan: See attached.

Strategic Plan

Priority #4 Community Development

Guiding Principle: Create a regulatory environment that supports quality development, allows for flexibility while maintaining high standards.

Strategy 4.1: Adopt a Uniform Development Code that

- Prepares and presents development guidelines
- Attracts high quality developers
- Resists “urban sprawl” in development
- Shows what we want our development to look like

Strategy 4.2: Develop a program to continue to improve the overall appearance of the City.

Implementation Plan: See attached.

Strategic Plan

Priority #5

Recreational Opportunities (Quality of Life)

Guiding Principle: Create opportunities for recreation and leisure activities within the fiscal means of the city.

Strategy 5.1: Determine the level of recreational services the city should provide.

- What are the needs (that are not being provided privately)?
- What can we provide as a city?
- What can we afford to maintain?

Strategy 5.2: Provide for the quality of life of citizens meeting needs through

- Acquiring land for parks and events
- Providing parks and recreation services to the citizens
- Maintaining/establishing a unique environment to live work and play
- Providing parks and recreation venues that enhance/strengthen sense of community
- Keeping our green spaces with oncoming development
- Providing parks and recreation services to the citizens

Strategy 5.3: Complete plans for park and recreation improvements.

Strategy 5.4: Establish a plan and alternatives for youth and adult sports playing fields.

Strategy 5.5: Leverage service development through public/private partnerships?

Implementation Plan: See attached.